

FOREIGN ASSISTANCE ACT OF  
1975—S. 1816

AMENDMENT NO. 601

(Ordered to be printed and referred to the Committee on Foreign Relations.)

Mr. KENNEDY. Mr. President, I rise to submit an amendment to the Foreign Assistance Act, S. 1816. This amendment, which parallels my earlier bill, S. 795, would place a moratorium on all sales of military equipment and related services to Persian Gulf states. However, at any time, the administration can submit a statement of policy regarding sales, credit sales, and guarantees made to such countries under the Foreign Military Sales Act. If the Congress by joint resolution approved that statement, the suspension could be lifted.

This amendment differs from my earlier bill in one respect: It places no time limit on the suspension of military sales, whereas the bill would have provided only for a 6-month limit.

I believe that the issue of military sales to the Gulf States is of sufficient importance that we in the Congress should insist on receiving a clear statement of administration purpose, however long it takes them to formulate one.

By submitting this suspension as an amendment to the Foreign Assistance Act, I believe there is a greater chance that this important matter can be acted upon by the Senate in a timely manner.

The importance of the gulf to us is clear. It is the source of most of the world's exportable oil; it is close to the Soviet Union; it is close to the continuing conflict between Israel and its Arab neighbors. Any one of these factors should make us deeply concerned to understand clearly our interests and overall policies, before embarking on something as risky as the indiscriminate and massive sale of arms.

Mr. President, the United States is aiding and abetting an arms race in that region—whether by design or by default. We are running incredible risks of reducing rather than enhancing security in the region. Those risks could entail an interruption of oil supplies; diversion of weapons to third countries; the compromise of U.S. weapons secrets; and most importantly, the possibility that the United States could once again be sucked into a distant conflict.

Do we have a policy to justify such a massive flow of the latest arms in our arsenal? Does the administration have a clear view of the overall U.S. interests in the Persian Gulf area? The relationship of arms to stability to peace? To regional cooperation? To the flow of oil?

I have been able to detect no such policy. Rather, it seems that arms are sold first, and an overall political and economic policy sought afterwards. This must not continue. We in the Congress should require the administration to give us and the American people a clear picture of our policies toward the Persian Gulf.

So, Mr. President, I urge adoption of this suspension. We need to seek clarification of our arms policies in the Gulf; to ask the tough questions that will reveal just what we are trying to do in that vital part of the world. We owe it

to ourselves, to the people of the region, and to all mankind, to stop and think before it is too late.

At this time, Mr. President, I would also like to commend the distinguished Senator from Minnesota (Mr. HUMPHREY), for the hearings he held this week on military sales, as chairman of the Foreign Assistance Subcommittee on Foreign Relations. His leadership in this area is a vital service to the Nation.

I ask unanimous consent that my amendment to S. 1816 be printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT NO. 601

On page 16, between lines 13 and 14, insert the following new section:

SUSPENSION OF ARMS SALES TO THE PERSIAN GULF COUNTRIES

Sec. 18. All sales of defense articles and services (whether for cash or by credit, guaranty, or any other means), and all licenses with respect to the transportation of arms, ammunition, and implements of war (including technical data relating thereto) to Iran, Saudi Arabia, Iraq, Kuwait, Qatar, Bahrain, the United Arab Emirates, and the Sultanate of Oman, shall be suspended on the date of enactment of this Act until the President transmits to the Congress, and the Congress by joint resolution approves, a statement of policy regarding sales, credit sales and guarantees made to such countries under the Foreign Military Sales Act. The foregoing suspension shall include a suspension of the delivery of any defense article or defense service contracted for prior to the date of enactment of this Act and which has not been delivered before such date.

On page 16, line 15, strike out "Sec. 18" and insert in lieu thereof "Sec. 19".

ELECTRONIC FUNDS TRANSFER  
CONTROL ACT OF 1974—S. 1899

AMENDMENT NO. 602

(Ordered to be printed and referred to the Committee on Banking, Housing and Urban Affairs.)

Mr. MCINTYRE (for himself and Mr. PROXMIER) submitted an amendment intended to be proposed by them jointly to the bill (S. 1899) to establish certain temporary controls on electronic funds transfer systems, and for other purposes.

ANNOUNCEMENT OF MARKUP ON  
PRODUCTIVITY LEGISLATION

Mr. RIBICOFF. Mr. President, I wish to announce that a Government Operations Committee markup on legislation which would establish a National Center for Productivity and Quality of Working Life originally scheduled for June 24, will now be held at 11 a.m. on Wednesday, June 25, in room 3302 of the Dirksen Senate Office Building.

ANNOUNCEMENT OF HEARINGS—  
EXAMINATION OF PROPOSED SECTION 202 HOUSING REGULATIONS

Mr. WILLIAMS. Mr. President, as chairman of the Subcommittee on Housing for the Elderly of the U.S. Senate Special Committee on Aging, I wish to announce that my subcommittee will continue its hearings entitled "Examin-

ation of Proposed Section 202 Housing Regulations" on June 25, 1975, in room 5302 of the Dirksen Senate Office Building beginning at 10 a.m.

The initial hearing on this issue was held on June 6, 1975, at which time we heard testimony from national organizations representing senior citizens and from national organizations representing senior citizens and from experienced nonprofit sponsors who are anxious to continue building housing for the elderly. Because of prior commitments that conflicted with that date, no presentation was made by the Department of Housing and Urban Development. However, HUD Secretary, Mrs. Carla A. Hills, has accepted our invitation to testify on June 25. Our hearing will center on her testimony and the issues surrounding the proposed regulations.

ADDITIONAL STATEMENTS

RELIABLE STANDARDS IN GRAIN  
EXPORTS

Mr. STENNIS. Mr. President, I am indignant and regretful at the recent indications that there may be corruption in the grain export trade. There are reports in the news of indictments and convictions in New Orleans, indictments being returned in Houston, and investigations underway in other areas.

These events deal with grain shipments, but they affect all of agriculture. We are an exporting Nation, and our economic future is tied to agriculture to a very great extent. Our agricultural exports last year, for example, represented \$1 billion in our balance of trade. Of each 4 acres in crops, we export the product of 1 acre.

Let me say at the outset that I do not mean these remarks as any kind of a wholesale criticism of the people who work in the grain trade, whether they be Federal employees or private citizens, whether they are involved in ship inspection, grain inspection or sampling, grain elevator and terminal operation, ship operation, or any other aspect of the business. As in any other American business, they are, in the overwhelming majority, honest people who work hard and take pride in their product.

Nevertheless we know that for as long ago as 1969 there have been complaints from grain customers abroad. They have cited deficiencies in grading, in cleanliness, and in quantity, and they have brought up the possibility of bribery as a cause of some of these deficiencies.

The subject is beginning to receive national and international attention. The honest, hard-working people who are in this business need to have their reputations protected from being tarnished by the misdeeds of a few, and if there are those who profit by criminal actions they must be found and brought to justice. In other words, it is time to dig out the facts, and if there is anything wrong with the system, or wrongdoers operating within the system, correct the situation fast.

For this reason, Mr. President, I am particularly pleased that hearings have been initiated by the Senate Agriculture

June 20, 1975

S 11120

Committee on this subject. It is too important a subject to wait. Many nations in this world depend upon us for the grain to feed their people. When they contract with the United States for grain they should expect to pay a fair price, and in return they should expect to get full, fair value that they know they can rely upon. If they do not get it they have been cheated—there is no other word for it—and the reputation of the United States and all its products, agricultural or otherwise, will suffer.

The problem is larger than one of possible criminal actions by individuals at our ports. It is larger than the flow of dollars and tonnages in the grain trade. It is larger than agriculture itself, and bears directly upon the international reputation of our Nation. I view it as a very urgent and serious matter.

As my colleagues know, grain inspectors and samplers are not Federal employees. They are, however, licensed by the Agricultural Marketing Service of the Department of Agriculture, and their work is subject to check by the Department. This is required under the U.S. Grain Standards Act.

Besides the Grain Standards Act, and the regulations issued by the Department of Agriculture, the grain exporting system has, of course, its practices and customs, established over the years, just as does any business. The whole system needs to be looked at, in my view. We are seeking to identify wrongdoers, if there be some, so that their criminal actions, which are harmful to citizens here and abroad, can be stopped. We are also seeking a sound and reliable system that will assure us and our customers of reliable grain standards in export trade.

If there are conflicts of interest built into the system, as press accounts indicate there may be, then they must be eliminated. If it is both legal and profitable for a shipper to add unusable fillers to an otherwise high grade shipment of grain, to bring it down until it just meets the minimum grade requirement, then something is wrong. If the fine for misgrading a shipment is less than the profit that can be made by so doing, then the system is faulty.

The United States is presently engaged in international negotiations with the other major industrial nations to meet the economic problems caused by the oil cartel, and these negotiations are considering as well the creation of international grain reserves. Under these circumstances it is essential that other nations have no doubts that when they trade for American grain they will get fair value in terms of quantity, grade, and cleanliness.

Mr. President, we raise a great deal of grain in Mississippi, and we hope to continue to raise more and more each year. However, this is not just a grain problem. It affects all of agriculture, and our total reliability in international trade. It is absolutely essential that the United States set its house in order in this matter, and do so fully and openly so that the process can be observed by the international community with whom we trade.

# AMERICAN ITALIAN BICENTENNIAL COMMISSION

Mr. DOMENICI. Mr. President, as the Bicentennial approaches, we should all pause to recall the many different groups of citizens who risked their lives and sacred honor to help this Nation achieve freedom. We sometimes think of only one group or nationality as the prime driving force behind the battle for independence.

However, we should not forget that citizens of many nations joined in the struggle. Among these citizens were the Italian Americans, of which I am a representative. Not only did an Italian discover this continent, but Italians and Italian Americans have played a great part in the growth and greatness of this Nation.

I would be remiss if I did not mention the American Italian Bicentennial Commission, Inc., of Washington, D.C. I wish to commend the dedicated members of the Commission for their work in developing and conducting programs to highlight the contributions made by Americans of Italian origin to this country.

My parents were typical of the Italians who came to this land. They came with high hopes that this land would give them the freedom to make as much of themselves as they could. They were not disappointed. Their success, and whatever success I have been able to gain in this land, testifies to the opportunity this Nation has offered. My parents, and other Italian Americans, have in turn been more than willing to bear their share and more of the burden of protecting this freedom and making this Nation even greater.

## LEAA ADVISORY COMMITTEE SCHOOLED IN HOW TO THWART THE LAW

Mr. METCALF. Mr. President, the Federal Advisory Committee Act imposed some fairly tough requirements on the Government's farflung network of citizen advisory committees, and one of these was that each advisory committee meeting be open to the public unless it is "concerned with matters" which the Freedom of Information Act exempts from mandatory public disclosure. In effect, it converted the Freedom of Information Act into an open-meeting law.

It is therefore astonishing and ironic to find an official of the Law Enforcement Assistance Administration counseling an advisory committee on how to thwart the open-meeting provisions of the Federal Advisory Committee Act.

This happened May 7 at the first meeting of the Organized Crime Task Force to the National Advisory Committee on Criminal Justice Standards and Goals. Here is the background:

Chartered April 10, the National Advisory Committee is a re-creation of the group of the same name which existed in 1972-73 and produced criminal justice standards and goals reports dealing with the courts, police, corrections, community crime prevention, and other

areas. It was the most expensive of the 1,439 advisory committees in existence in 1972, costing \$1,750,000.

Re-creation of the National Advisory Committee launches the second phase of the standards and goals effort, but this time the reports are to be produced by individual task forces dealing with organized crime, civil disorders and terrorism, juvenile delinquency, and so on. It is expected to be a \$2 million enterprise taking 18 months.

On May 7 the Organized Crime Task Force met in public session with William T. Archey, Acting Director of the Policy Analysis Division in LEAA's Office of Planning and Management, and other LEAA officials. According to the transcript of the meeting, Archey explained how the requirements of the Federal Advisory Committee Act and the Freedom of Information Act would affect the operation of the task force. Then a member of the task force asked a question, leading to this exchange:

Mr. BYRNE. I understand the press are going to be in here in all of our deliberations except when we notify you a month in advance that we want it closed?

Mr. ARCHHEY. First, this is the only meeting required to be in Washington. All other meetings can take place wherever Jack Kehoe wants to have them take place, which poses you much less of a problem, much less of an issue. You will find that the first meeting attracts generally some public interest and some media interest, but I think after the first meeting, you won't find that.

Mr. RUBINSTEIN. Well, the transcripts are available if the meetings are closed up.

Mr. ARCHHEY. Yeah. But, I am saying that also when a meeting is closed, there is no requirement also for minutes to be public on a closed meeting.

Mr. BYRNE. Is there some federal law that requires this?

Mr. ARCHHEY. Yes, two federal laws. One is the Federal Advisory Committee Act that pertains to Jack and all of the staff directors. It is quite explicit, quite. You know I am in a difficult position on that myself because I understand what you are saying and—

Mr. BYRNE. We are all in a difficult position here if the press are going to be present.

Mr. ARCHHEY. Well, again, I think, Garrett, at this point in time the first meeting is the one that the press exhibits some interest after that it doesn't. At least that's been historically the case with all our advisory committees, even the original commissions weren't. Also, as I am saying, the committee is not going to have to meet in Washington all the time anyway.

Mr. BYRNE. It is a job getting over here.

Mr. KOHN. We could have all our good honest-to-goodness discussions over the lunch hour while the stenographer is gone. (General laughter.)

Mr. ARCHHEY. I hate to be talking about how the hell we get around this because that puts me in a rather difficult position. But at the same time, I would suggest henceforth you have dinner meetings which can be picked up as a result of the grant and which do not have to have minutes and are not of public record. That is what we did with one group already, where they met the night before at a dinner meeting. You can conduct business as long as you have a business agenda of some sort, but that does not apply because it says something about dinner meetings as different.

Now, I suppose if the dinner meeting would last seven or eight hours, that, you know,

vention. The convention shall fix the compensation of employees of the convention.

#### CONVENING THE CONVENTION

SEC. 8. (a) The Vice President of the United States shall convene the constitutional convention. He shall administer the oath of office of the delegates to the convention and shall preside until the delegates elect a presiding officer who shall preside thereafter. Before taking his seat each delegate shall subscribe to an oath by which he shall be committed during the conduct of the convention to refrain from proposing or casting his vote in favor of any proposed amendment to the Constitution of the United States relating to any subject which is not named or described in the concurrent resolution of the Congress by which the convention was called. Upon the election of permanent officers of the convention, the names of such officers shall be transmitted to the President of the Senate and the Speaker of the House of Representatives by the elected presiding officer of the convention. Further proceedings of the convention shall be conducted in accordance with such rules, not inconsistent with this Act, as the convention may adopt.

(b) There is hereby authorized to be appropriated such sums as may be necessary for the payment of the expenses of the convention.

(c) The Administrator of General Services shall provide such facilities, and the Congress and each executive department and agency shall provide such information and assistance, as the convention may require, upon written request made by the elected presiding officer of the convention.

#### PROCEDURES OF THE CONVENTION

SEC. 9. (a) In voting on any question before the convention, including the proposal of amendments, each delegate shall have one vote.

(b) The convention shall keep a daily verbatim record of its proceedings and publish the same. The vote of the delegates on any question shall be entered on the record.

(c) The convention shall terminate its proceedings within one year after the date of its first meeting unless the period is extended by the Congress by concurrent resolution.

(d) Within thirty days after the termination of the proceedings of the convention, the presiding officer shall transmit to the Archivist of the United States all records of official proceedings of the convention.

#### PROPOSAL OF AMENDMENTS

SEC. 10. (a) Except as provided in subsection (b) of this section, a convention called under this Act may propose amendments to the Constitution by a vote of two-thirds of the total number of delegates to the convention.

(b) No convention called under this Act may propose any amendment or amendments of a nature different from that stated in the concurrent resolution calling the convention. Questions arising under this subsection shall be determined solely by the Congress of the United States and its decisions shall be binding on all others, including State and Federal courts.

#### APPROVAL BY THE CONGRESS AND TRANSMITTAL TO THE STATES FOR RATIFICATION

SEC. 11. (a) The presiding officer of the convention shall, within thirty days after the termination of its proceedings, submit to the Congress the exact text of any amendment or amendments agreed upon by the convention.

(b) (1) Whenever a constitutional convention called under this Act has transmitted to the Congress a proposed amendment to the Constitution, the President of the Senate and the Speaker of the House of Representatives, acting jointly, shall transmit such amendment to the Administrator of General

Services upon the expiration of the first period of ninety days of continuous session of the Congress following the date of receipt of such amendment unless within that period both Houses of the Congress have agreed to (A) a concurrent resolution directing the earlier transmission of such amendment to the Administrator of General Services and specifying in accordance with article V of the Constitution the manner in which such amendment shall be ratified, or (B) a concurrent resolution stating that the Congress disapproves the submission of such proposed amendment to the States because such proposed amendment relates to or includes a subject which differs from or was not included among the subjects named or described in the concurrent resolution of the Congress by which the convention was called, or because the procedures followed by the convention in proposing the amendment were not in substantial conformity with provisions of this Act. No measure agreed to by the Congress which expresses disapproval of any such proposed amendment for any other reason, or without a statement of any reason, shall relieve the President of the Senate and the Speaker of the House of Representatives of the obligation imposed upon them by the first sentence of this paragraph.

(2) For the purposes of paragraph (1) of this subsection, (A) the continuity of a session of the Congress shall be broken only by an adjournment of the Congress sine die, and (B) the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of the period of ninety days.

(c) Upon receipt of any such proposed amendment to the Commission, the Administrator shall transmit forthwith to each of the several States a duly certified copy thereof, a copy of any concurrent resolution agreed to by both House of the Congress which prescribes the time within which and the manner in which such amendment shall be ratified, and a copy of this Act.

#### RATIFICATION OF PROPOSED AMENDMENTS

SEC. 12. (a) Any amendment proposed by the convention and submitted to the States in accordance with the provisions of this Act shall be valid for all intents and purposes as part of the Constitution of the United States when duly ratified by three-fourths of the States in the manner and within the time specified.

(b) Acts of ratification shall be by convention or by State legislative action as the Congress may direct or as specified in subsection (c) of this section. For the purpose of ratifying proposed amendments transmitted to the States pursuant to this Act the State legislatures shall adopt their own rules of procedure. Any State action ratifying a proposed amendment to the Constitution shall be valid without the assent of the Governor of the State.

(c) Except as otherwise prescribed by concurrent resolution of the Congress, any proposed amendment to the Constitution shall become valid when ratified by the legislatures of three-fourths of the several States within seven years from the date of the submission thereof to the States, or within such other period of time as may be prescribed by such proposed amendment.

(d) The secretary of state of the State, or if there be no such officer, the person who is charged by State law with such function, shall transmit a certified copy of the State action ratifying any proposed amendment to the Administrator of General Services.

#### RESCISSION OF RATIFICATIONS

SEC. 13. (a) Any State may rescind its ratification of a proposed amendment by the same process by which it ratified the proposed amendment, except that no State may

rescind when there are existing valid ratifications of such amendment by three-fourths of the States.

(b) Any State may ratify a proposed amendment even though it previously may have rejected the same proposal.

(c) Questions concerning State ratification or rejection of amendments proposed to the Constitution of the United States, shall be determined solely by the Congress of the United States, and its decisions shall be binding on all others, including State and Federal courts.

#### PROCLAMATION OF CONSTITUTIONAL AMENDMENTS

SEC. 14. The Administrator of General Services, when three-fourths of the several States have ratified a proposed amendment to the Constitution of the United States, shall issue a proclamation that the amendment is a part of the Constitution of the United States.

#### EFFECTIVE DATE OF AMENDMENTS

SEC. 15. An amendment proposed by the Constitution of the United States shall be effective from the date specified therein or, if no date is specified, then on the date on which the last State necessary to constitute three-fourths of the States of the United States, as provided for in article V, has ratified the same.

By Mr. SPARKMAN (by request):  
S. 1816. A bill to amend the Foreign Assistance Act of 1961, and for other purposes. Referred to the Committee on Foreign Relations.

#### FOREIGN ASSISTANCE ACT OF 1975

Mr. SPARKMAN. Mr. President, by request I introduce for appropriate reference a bill to amend the Foreign Assistance Act of 1961, and for other purposes.

The bill has been requested by the President and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when it is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill and a section-by-section analysis be printed in the RECORD at this point, together with the letter from the President to the President of the Senate dated May 15, 1975.

There being no objection, the bill and material were ordered to be printed in the RECORD, as follows:

#### S. 1816

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Assistance Act of 1975".*

#### DEVELOPMENT ASSISTANCE

SEC. 2. (a) Chapter 1 of part 1 of the Foreign Assistance Act of 1961 is amended as follows:

(1) In section 103(a), relating to food and nutrition, immediately after "1975," insert "\$534,500,000 for the fiscal year 1976, and \$635,000,000 for the fiscal year 1977."

(2) In section 104, relating to population planning and health, immediately after "1975," insert "\$180,500,000 for the fiscal year 1976, and \$210,000,000 for the fiscal year 1977."

(3) In section 105, relating to education and human resources development, immediately after "1975," insert "\$71,000,000 for the fiscal year 1976, and \$85,000,000 for the fiscal year 1977."

May 22, 1975

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vene a convention. However, if the two-thirds requirement is ever met, no procedures presently exist to determine how a convention would be conducted or what rules it will follow. How would the convention be conducted? Where would it be held? Could it be delayed, and, if so, how long? How would the delegates be selected? How long would the application be valid? Who would decide which applications are valid? Could a State rescind its application? Who decides questions in controversy? By what method would the States ratify a proposed amendment? And most importantly, would there be any restrictions on the subject of amendments or would the convention have a free hand to rewrite the Constitution?

These questions are left unanswered by the Constitution and present law, and the list is by no means exhaustive. Many more questions remain. However, I pose these questions to demonstrate the potential procedural nightmare which could result in the absence of legislation such as I propose.

S. 1815 attempts to provide reasoned answers. Let me emphasize that this bill is not inspired by any particular issue. Since 1967, the Subcommittee on Separation of Powers has explored this murky legal area with the hope of filling a potential dangerous gap in our Constitution. Article V of the Constitution provides that amendments may be proposed either by two-thirds of both Houses or upon application of the legislatures of two-thirds of the several States.

Few constitutional problems have arisen with regard to the congressional mode of proposing amendments. Thus far, all amendments to the Constitution have been initiated by Congress. Yet, if the latter method initiating a constitutional amendment is utilized, the possibility exists that, absent any rules and procedures to govern a convention, grave damage to the fabric of our Constitution and the delicate system of checks and balances provided by the Framers might result.

To the extent that Congress can do so, every effort should be made to guard against a runaway convention. This legislation would provide the ground rules necessary for the conduct of any convention held under article V. It establishes procedures for congressional handling of State petitions, for the calling of a convention and provides that a convention can consider only the subject or subjects mentioned in the State petitions.

I urge the Members of the Senate to again support this measure, and I anticipate early passage.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1815

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Constitutional Convention Procedures Act".*

## APPLICATIONS FOR CONSTITUTIONAL CONVENTION

SEC. 2. The legislature of a State, in making application to the Congress for a constitutional convention under article V of the Constitution of the United States on and after the enactment of this Act, shall adopt a resolution pursuant to this Act stating, in substance, that the legislature requests the calling of a convention for the purpose of proposing one or more amendments to the Constitution of the United States and stating the nature of the amendment or amendments to be proposed.

## APPLICATION PROCEDURE

SEC. 3. (a) For the purpose of adopting or rescinding a resolution pursuant to section 2 and section 5, the State legislature shall follow the rules of procedure that govern the enactment of a statute by that legislature, but without the need for approval of the legislature's action by the Governor of the State.

(b) Questions concerning the adoption of a State resolution cognizable under this Act shall be determinable by the Congress of the United States and its decisions thereon shall be binding on all others, including State and Federal courts.

## TRANSMITTAL OF APPLICATIONS

SEC. 4. (a) Within thirty days after the adoption by the legislature of a State of a resolution to apply for the calling of a constitutional convention, the secretary of state of the State, or if there be no such officer, the person who is charged by the State law with such function, shall transmit to the Congress of the United States two copies of the application, one addressed to the President of the Senate, and one to the Speaker of the House of Representatives.

(b) Each copy of the application so made by any State shall contain—

- (1) the title of the resolution;
- (2) the exact text of the resolution signed by the presiding officer of each house of the State legislature; and
- (3) the date on which the legislature adopted the resolution; and shall be accompanied by a certificate of the secretary of state of the State, or such other person as is charged by the State law with such function, certifying that the application accurately sets forth the text of the resolution.

(c) Within ten days after receipt of a copy of any such application, the President of the Senate and Speaker of the House of Representatives shall report to the House of which he is presiding officer, identifying the State making application, the subject of the application, and the number of States then having made application on such subject. The President of the Senate and Speaker of the House of Representatives shall jointly cause copies of such application to be sent to the presiding officer of each house of the legislature of every other State and to each Member of the Senate and House of Representatives of the Congress of the United States.

## EFFECTIVE PERIOD OF APPLICATION

SEC. 5. (a) An application submitted to the Congress by a State, unless sooner rescinded by the State legislature, shall remain effective for seven calendar years after the date it is received by the Congress, except that whenever within a period of seven calendar years two-thirds or more of the several States have submitted application calling for a constitutional convention on the same subject all such applications shall remain in effect until the Congress has taken action on a concurrent resolution, pursuant to section 6, calling for a constitutional convention.

(b) A State may rescind its application calling for a constitutional convention by adopting and transmitting to the Congress

a resolution of rescission in conformity with the procedure specified in sections 3 and 4, except that no such rescission shall be effective as to any valid application made for a constitutional convention upon any subject after the date on which two-thirds or more of the State legislatures have valid applications pending before the Congress seeking amendments on the same subject.

(c) Questions concerning the rescission of a State's application shall be determined solely by the Congress of the United States and its decisions shall be binding on all others, including State and Federal courts.

## CALLING OF A CONSTITUTIONAL CONVENTION

SEC. 6. (a) It shall be the duty of the Secretary of the Senate and the Clerk of the House of Representatives to maintain a record of all applications received by the President of the Senate and Speaker of the House of Representatives from States for the calling of a constitutional convention upon each subject. Whenever applications made by two-thirds or more of the States with respect to the same subject have been received, the Secretary and the Clerk shall so report in writing to the officer to whom those applications were transmitted, and such officer thereupon shall announce on the floor of the House of which he is an officer the substance of such report. It shall be the duty of such House to determine that there are in effect valid applications made by two-thirds of the States with respect to the same subject. If either House of the Congress determines, upon a consideration of any such report or of a concurrent resolution agreed to by the other House of the Congress, that there are in effect valid applications made by two-thirds or more of the States for the calling of a constitutional convention upon the same subject, it shall be the duty of that House to agree to a concurrent resolution calling for the convening of a Federal constitutional convention upon that subject. Each such concurrent resolution shall (1) designate the place and time of meeting of the convention, and (2) set forth the nature of the amendment or amendments for the consideration of which the convention is called. A copy of each such concurrent resolution agreed to by both Houses of the Congress shall be transmitted forthwith to the Governor and to the presiding officer of each house of the legislature of each State.

(b) The convention shall be convened not later than one year after adoption of the resolution.

## DELEGATES

SEC. 7. (a) A convention called under this Act shall be composed of as many delegates from each State as it is entitled to Senators and Representatives in Congress. In each State two delegates shall be elected at large and one delegate shall be elected from each congressional district in the manner provided by State law. Any vacancy occurring in State delegation shall be filled by appointment of the Governor of that State.

(b) The secretary of state of each State, or, if there be no such officer, the person charged by State law to perform such function shall certify to the Vice President of the United States the name of each delegate elected or appointed by the Governor pursuant to this section.

(c) Delegates shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at a session of the convention, and in going to and returning from the same; and for any speech or debate in the convention they shall not be questioned in any other place.

(d) Each delegate shall receive compensation for each day of service and shall be compensated for traveling and related expenses. Provision shall be made therefor in the concurrent resolution calling the con-

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(4) In section 106, relating to selected development accounts, immediately after "1975," insert "and \$45,300,000 for the fiscal year 1976, and \$40,000,000 for the fiscal year 1977."

(5) In section 107, relating to selected countries and organizations, immediately after "1975," insert "and \$32,000,000 for the fiscal year 1976, and \$40,000,000 for the fiscal year 1977."

(b) Section 209(c) of the Foreign Assistance Act of 1961 is repealed.

AMERICAN SCHOOLS AND HOSPITALS ABROAD

SEC. 3. Section 214 of the Foreign Assistance Act of 1961, relating to American schools and hospitals abroad, is amended as follows:

(1) In subsection (c), immediately after "\$19,000,000," insert "and for the fiscal year 1976, \$9,800,000 and for the fiscal year 1977, \$9,800,000."

(2) In subsection (d), immediately after "\$6,500,000," insert "and for the fiscal year 1976, \$7,000,000 and for the fiscal year 1977, \$7,000,000."

HOUSING GUARANTIES

SEC. 4. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In section 221, relating to worldwide housing guaranties, strike out "\$355,000,000" and insert in lieu thereof "\$505,000,000".

(2) In section 222(c), relating to housing projects in Latin American countries, strike out "\$550,000,000" and insert in lieu thereof "\$650,000,000".

(3) In section 223(1), relating to general provisions, strike out "June 30, 1976" and insert in lieu thereof "September 30, 1976".

INTERNATIONAL AGRICULTURAL RESEARCH

SEC. 5. Chapter 2 of part I of the Foreign Assistance Act of 1961 is further amended by adding at the end thereof of the following new titles:

"TITLE XII—INTERNATIONAL AGRICULTURAL RESEARCH

SEC. 296. GENERAL AUTHORITY.—(a) The Congress recognizes that in a world of growing population with growing expectations, increased food production and improved distribution, storage and marketing in the developing countries is necessary not only to prevent hunger but to lay the economic base for growth. Current levels of nutrition and food supply are not now adequate; just to maintain them will require that current production be doubled by the end of the century. Moreover, in an interdependent world economy, the increased availability of food, of higher nutritional quality, in any sector of the world, can benefit all. The greatest potential for increasing world supplies is in the developing countries in which the gap between food demand and food supply is greatest, and current average yields are low.

(b) The Congress further recognizes that sustained agricultural research is necessary if the quantity, quality, and availability of food are to be increased, in both developed and developing countries. Key roles in this effort are played by international agricultural centers, universities and research institutions, in the United States and elsewhere, through their agricultural research work and in the dissemination of increased agricultural knowledge to the farmer.

(c) It is the sense of the Congress that research bearing on agricultural production, distribution, storage, and marketing in the developing countries conducted in a growing network of internationally oriented agricultural research institutions must be expended substantially and rapidly if the steadily growing demand for food is to be met. Such research should receive continued, increased, and where possible, longer-range support from national, international, and private sources. In adopting this title, Congress expresses the commitment of the United States

to the expansion of such research in order to hasten and encourage the long-term planning and institutional growth needed to secure the most beneficial research results.

AUTHORIZATION

"SEC. 297. To carry out the intent of Congress as expressed in section 296, the President is authorized to use any of the funds made available under section 103 of the Act to provide assistance on such terms and conditions as he may determine in support of programs of food research for the benefit of developing countries and areas. Such funds may be made available without regard to the provisions of section 110(b) and 211(d) of this Act."

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 6. (a) Section 302 of the Foreign Assistance Act of 1961 is amended as follows:

(1) In subsection (a), immediately after "\$165,000,000" insert "and for the fiscal year 1976, \$189,500,000 and for the fiscal year 1977, \$214,900,000."

(2) In subsection (b)(2), immediately after "\$14,500,000" insert "and for use beginning in the fiscal year 1976, \$27,000,000."

"(b) in section 54 of the Foreign Assistance Act of 1974, strike out 'part III' and insert in lieu thereof 'part I.'"

CONTINGENCY FUND

SEC. 7. Chapter 5 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In the chapter heading, strike out "Disaster Relief" and insert in lieu thereof "Contingency Fund."

(2) Section 451(a) is amended to read as follows:

"(a) In addition to amounts otherwise available for such purposes, there are authorized to be appropriated to the President from time to time such amounts as may be necessary to provide availabilities for obligations to provide assistance authorized by this part for any emergency purpose, in accordance with the provisions applicable to the furnishing of such assistance: *Provided, however, That availabilities of funds which have not been previously obligated shall at no time exceed \$10,000,000. Amounts appropriated hereunder shall remain available until expended.*"

INTERNATIONAL NARCOTICS CONTROL

SEC. 8. Section 482 of the Foreign Assistance Act of 1961 is amended by inserting "and \$42,500,000 for the fiscal year 1976 and \$42,500,000 for the fiscal year 1977" immediately after "1975."

INTERNATIONAL DISASTER ASSISTANCE

SEC. 9. Part I of the Foreign Assistance Act of 1961 is further amended as follows:

(1) Chapter 9 of Part I is retitled "Chapter 9—International Disaster Assistance."

(2) Section 491 is renumbered "Section 495."

(3) Immediately after the heading "Chapter 9—International Disaster Assistance" insert the following new sections:

INTERNATIONAL DISASTER ASSISTANCE

"SEC. 491. (a) The Congress, recognizing that prompt United States assistance to alleviate human suffering caused by natural and man-made disasters abroad is an important expression of the humanitarian concern and tradition of the American people, affirms the willingness of the United States to provide assistance for the humanitarian relief and rehabilitation of peoples and countries affected by such disasters. Such humanitarian assistance both symbolizes the concern of the United States for the welfare of people in need throughout the world, and also constitutes an important element in the foreign relations of the United States in its efforts to contribute to a stable international peace.

"(b) Notwithstanding any other provision of this or any other Act, the President is

authorized to furnish assistance to any foreign country or international organization on such terms and conditions as he may determine, for disaster relief and rehabilitation, including assistance relating to disaster preparedness, and to the prediction of a contingency planning for natural disasters abroad.

AUTHORIZATION

"SEC. 492. (a) In addition to amounts otherwise available for such purposes, there is authorized to be appropriated to the President from time to time such amounts as may be necessary to provide availabilities for obligations for disaster relief and rehabilitation assistance authorized by this section: *Provided, however, That availabilities of funds which have not been previously obligated shall at no time exceed \$20,000,000. Amounts appropriated hereunder shall remain available until expended.*

"(b) The President shall submit quarterly reports to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and to the Speaker of the House of Representatives on the programming and obligation of funds authorized by this section."

(4) Section 639 is repealed.

(5) Sections 639A and 639B are renumbered sections 493 and 494, respectively, and inserted after section 492.

(6) Section 452 is renumbered section 495A and inserted after section 495.

MILITARY ASSISTANCE

SEC. 10. Chapter 2 of part II of the Foreign Assistance Act of 1961 is amended as follows:

(1) Section 504(a), relating to authorization, is amended by striking out "\$600,000,000 for the fiscal year 1975" and inserting in lieu thereof "such amounts as may be necessary for the fiscal year 1976 and for the fiscal year 1977."

(2) Section 506(a), relating to special authority, is amended by striking out "the fiscal year 1975" in each place it appears and inserting in lieu thereof "the fiscal year 1976" in each such place.

(3) Section 514, relating to the stockpiling of defense articles for foreign countries, is amended to read as follows:

STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

"SEC. 514. No defense article in the inventory of the Department of Defense which is set aside, reserved, or in any way earmarked or intended for future use by any foreign country may be made available to or for use by any foreign country unless such transfer is authorized under this Act or the Foreign Military Sales Act, or any subsequent corresponding legislation, and such transfer is charged against funds authorized under such legislation or against the limitations specified in such legislation, as appropriate, for the fiscal period in which such defense article is transferred."

SECURITY SUPPORTING ASSISTANCE

SEC. 11. Section 532 of the Foreign Assistance Act of 1961 is amended by inserting immediately after "\$660,000,000" a comma and "for the fiscal year 1976 and for the fiscal year 1977, such amounts as may be necessary."

INTERNATIONAL MILITARY EDUCATION AND TRAINING

SEC. 12. (a) Part II of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new chapter:

"CHAPTER 5—INTERNATIONAL MILITARY EDUCATION AND TRAINING

GENERAL AUTHORITY

"SEC. 542. The President is authorized to provide education and training for military and related civilian personnel of foreign countries on such terms and conditions as he shall determine, including—

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(1) attendance at military educational and training facilities in the United States (other than the Service Academies) and abroad;

(2) attendance in special courses of instruction at schools and institutions of learning or research in the United States or abroad; and

(3) observation and orientation visits to military facilities and related activities in the United States and abroad.

#### AUTHORIZATION

"Sec. 543. There are authorized to be appropriated to the President to carry out the purposes of this chapter such amounts as may be necessary for the fiscal year 1976 and for the fiscal year 1977.

#### PURPOSES

"Sec. 544. Education and training activities conducted under this chapter shall be designed:

(1) to encourage effective and mutually beneficial relationships and increased understanding between the United States and foreign countries, in furtherance of the goals of international peace and security; and

(2) to improve the ability of participating foreign countries to utilize their resources, including defense articles and defense services obtained by them from the United States, with maximum effectiveness, thereby contributing to greater self-reliance by such countries."

(b) The Foreign Assistance Act of 1961 is amended as follows:

(1) Section 502B(d), relating to human rights, is amended by inserting "or chapter 5 (international military education and training)" immediately after "(supporting assistance)".

(2) Section 504(a)(1), relating to authorization, is amended by striking out "(other than (1) training in the United States, or (2) for Western Hemisphere countries, training in the United States or in the Canal Zone)".

(3) Section 510, relating to restrictions on training foreign military students, is repealed.

(4) Section 622, relating to coordination with foreign policy, is amended as follows:

(A) In subsection (b) immediately after the phrase "(including civic action)" insert the words "and military education and training".

(B) Subsection (c) is amended to read as follows:

"(c) Under the direction of the President, the Secretary of State shall be responsible for the continuous supervision and general direction of economic assistance, military assistance and military education and training programs, including but not limited to determining whether there shall be a military assistance (including civic action) or a military education and training program for a country and the value thereof, to the end that such programs are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby."

(5) Section 623, relating to the Secretary of Defense, is amended as follows:

(B) In subsection (a)(6), immediately after the word "assistance", insert a comma and the words "education and training".

(6) Section 632, relating to allocation and reimbursement among agencies, is amended as follows:

(A) by inserting in subsections (a) and (b) immediately after the word "articles", wherever it appears, a comma and the words "military education and training"; and

(B) by striking out in subsection (b) the words "and defense articles" and inserting in lieu thereof a comma and the words "defense articles, or military education and training".

(7) Section 636, relating to provisions on uses of funds, is amended as follows:

(A) In subsection (g)(1), immediately after the word "articles", insert a comma and the words "military education and training".

(B) In subsection (g)(2) and in subsection (g)(3), strike out the word "personnel" and insert in lieu thereof the words "and related civilian personnel".

(8) Section 644, relating to definitions, is amended as follows:

(A) Subsection (f) is amended to read as follows:

"(f) 'Defense service' includes any service, test, inspection, repair, publication, or technical or other assistance or defense information used for the purposes of furnishing military assistance, but shall not include military educational and training activities under chapter 5 of Part II."

(B) There is added at the end thereof the following new subsection:

"(n) 'Military education and training' includes formal or informal instruction of foreign students in the United States or overseas by officers or employees of the United States, contract technicians, contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds, training aids, orientation, and military advice to foreign military units and forces."

(c) Except as may be expressly provided to the contrary in this Act, all determinations, authorizations, regulations, orders, contracts, agreements, and other actions issued, undertaken or entered into under authority of any provision of law amended or repealed by this section shall continue in full force and effect until modified by appropriate authority.

(d) Funds made available pursuant to other provisions of law for foreign military educational and training activities shall remain available for obligation and expenditure for their original purposes in accordance with the provisions of law originally applicable thereto, or in accordance with the provisions of law currently applicable to those purposes.

#### OPERATING EXPENSES

Sec. 13. Part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

#### "OPERATING EXPENSES"

"Sec. 665. There is hereby authorized to be appropriated to the President for the fiscal year 1976 \$205,200,000, for the fiscal year 1977 such amounts as may be necessary for operating expenses of the agency primarily responsible for administering part I. These amounts may be increased by transfer of other funds made available under this Act, but the total amount available to carry out this section shall not be increased by more than 10 per centum of the amount initially made available."

#### REIMBURSABLE DEVELOPMENT PROGRAMS

Sec. 14. Section 661 of the Foreign Assistance Act of 1961 is amended by striking out "in each of the fiscal years 1975 and 1976" and inserting in lieu thereof "in the fiscal year 1975, \$2,000,000 in the fiscal year 1976, and \$2,000,000 in the fiscal year 1977."

#### INDOCHINA ASSISTANCE

Sec. 15. Part V of the Foreign Assistance Act of 1961 and sections 34, 35, 36, 37, 38, 39 and 40 of the Foreign Assistance Act of 1974 are repealed. All determinations, authorizations, regulations, orders, contracts, agreements and other actions issued, undertaken or entered into under authority of any provision of law repealed by this section shall continue in full force and effect until modified, revoked or superseded by appropriate authority.

#### MIDDLE EAST SPECIAL REQUIREMENTS FUND

Sec. 16. Section 903(a) of the Foreign Assistance Act of 1961 is amended by insert-

ing a comma and "for the fiscal year 1976 and for the fiscal year 1977, such amounts as may be necessary" immediately following "\$100,000,000".

#### FOREIGN MILITARY SALES

Sec. 17. The Foreign Military Sales Act is amended as follows:

(1) In section 31(a), relating to authorization, strike out "\$405,000,000 for the fiscal year 1975" and insert in lieu thereof "such amounts as may be necessary for the fiscal year 1976 and for the fiscal year 1977".

(2) Section 33, relating to regional ceilings is repealed.

#### TRANSITION PROVISIONS

Sec. 18. (a) There are authorized to be appropriated for the period July 1, 1976 through September 30, 1976, such sums as may be necessary to conduct programs and activities for which funding was authorized for fiscal year 1976 by this Act in accordance with the authorities applicable to such programs and activities for such fiscal year.

(b) Effective October 1, 1976—

(1) Subsection 506(a) of the Foreign Assistance Act of 1961 relating to special authority, is amended to read as follows:

"The President may, if he determines it to be in the security interests of the United States, order defense articles from the stocks of the Department of Defense and defense services for the purposes of part II, in addition to military assistance otherwise authorized to be furnished under this chapter only in such amounts as are provided in appropriations acts for military assistance. The value of such orders under this section in any fiscal year shall not exceed \$150,000,000."

(2) Subsection 506(b) of the Foreign Assistance Act of 1961, is repealed, and appropriations to the President of such sums as may be necessary to reimburse the applicable appropriation, fund, or account for orders issued prior to October 1, 1976, under subsection 506(a) of that Act are hereby authorized; and

(3) Subsection 632(d) of the Foreign Assistance Act of 1961, is amended by striking out the words "Except as otherwise provided in section 506."

#### SECTION-BY-SECTION ANALYSIS OF THE PROPOSED FOREIGN ASSISTANCE ACT OF 1975

##### I. INTRODUCTION

The proposed Foreign Assistance Act of 1975 (hereinafter referred to as "the Bill") is an amendment to the Foreign Assistance Act of 1961, as amended (hereinafter referred to as "the Act"). The Bill also amends the Foreign Military Sales Act, as amended (hereinafter referred to as "the FMSA"). The major purpose of the Bill is to provide authorization for appropriations for activities under the Act and the FMSA for fiscal year 1976. In accordance with section 607 of the Congressional Budget Act of 1974, authorizations for fiscal year 1977 are also included.

The fiscal year 1976 authorization levels requested for programs under part I of the Act are those set forth in the President's budget. Specific levels are not included for programs under part II of the Act or the FMSA because of ongoing reassessments within the Executive Branch with respect to the Middle East and Indochina. Information regarding the requested levels for these programs will be submitted as soon as possible. The principal substantive amendments in part I of the Act are the creation of a new International Disaster Assistance chapter, and a new International Agricultural Research program; and in part II of the Act a new International Military Education and Training Chapter is established.

##### II. PROVISIONS OF THE BILL

Section 2(a). Development Assistance Authorizations.

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This subsection, consisting of five paragraphs, provides development assistance authorizations which will permit the Executive Branch to conduct the overall bilateral development assistance programs at budget request levels. The specific authorizations provided are as follows:

(1) This paragraph amends section 103(a) of the Act, which authorizes funds to alleviate starvation, hunger and malnutrition and to provide basic services to poor people by increasing their capacity for self-help, by extending the existing authorization through fiscal year 1976 at a level of \$534,500,000 and through fiscal year 1977 at a level of \$635,000,000. The overall development assistance program reflects a continuation of the policy to increase emphasis on the food and nutrition sector which was initiated during fiscal year 1974 and has gained further impetus in the aftermath of the World Food Conference.

(2) This paragraph amends section 104 of the Act, which authorizes funds to reduce population growth, to increase family planning, and to prevent and combat disease by extending the existing authorization through fiscal year 1976 at a level of \$180,500,000 and through fiscal year 1977 at a level of \$210,000,000.

(3) This paragraph amends section 105 of the Act which authorizes funds to reduce illiteracy, to extend basic education and to increase manpower training in skills related to development by extending the existing authorization through fiscal year 1976 at a level of \$71,000,000 and through fiscal year 1977 at a level of \$85,000,000.

(4) This paragraph amends section 106 of the Act which authorizes funds to help solve economic and social development problems in fields such as transportation, power, industry, urban development and export development by extending the existing authorization through fiscal year 1976 at a level of \$45,300,000 and through fiscal year 1977 at a level of \$40,000,000.

(5) This paragraph amends section 107 of the Act which authorizes funds to support the general economies of recipient countries or for development programs conducted by private or international organizations by extending the existing authorization through fiscal year 1976 at a level of \$32,000,000 and through fiscal year 1977 at a level of \$40,000,000.

#### Section 2(b). Repeal of Section 209(c).

This subsection repeals section 209(c), which was added by the Foreign Assistance Act of 1971. Section 209(c) states that the President should reduce bilateral loans under the Act, with the objective that the total amount of such loans not exceed \$100,000,000 not later than June 30, 1975. Amendments to the Act since 1971 and those proposed to the development assistance chapter establish authorization levels that project a loan program in excess of \$100,000,000, as of June 30, 1975.

#### Section 3. American Schools and Hospitals Abroad.

This section, consisting of two paragraphs, amends section 214 of the Act, which authorizes assistance to institutions located outside the United States that are sponsored or founded by U.S. citizens. The eligible institutions are schools and libraries, and hospital centers that conduct medical education and research programs. The amounts authorized will permit the Executive Branch to conduct this program at budget request levels.

(1) This paragraph amends section 214(c) by extending the dollar authorizations through fiscal years 1976 and 1977 at annual levels of \$9,800,000.

(2) This paragraph amends section 214(d) by extending the foreign currency authorizations through fiscal years 1976 and 1977 at annual levels of \$7,000,000.

#### Section 4. Housing Guarantees.

This section, consisting of three paragraphs, amends title III of chapter 2 of part I of the Act as follows:

(1) This paragraph amends section 221 to increase worldwide housing investment guaranty ceiling from \$355,000,000 to \$505,000,000 through fiscal year 1978.

(2) This paragraph amends section 222(c) to increase the Latin America housing investment guaranty ceiling from \$550,000,000 to \$650,000,000 through fiscal year 1978.

(3) This paragraph amends section 223 (1) to extend the duration of the housing investment guaranty program through the end of fiscal year 1978.

#### Section 5. International Agricultural Research.

This section creates a new title XII in chapter 2 of part I of the Act, the purpose of which is to authorize and fund an expanded and sustained international agricultural research program to meet the food needs of the world and to lay an economic base for growth.

New section 296 recognizes the need for increased food production, distribution, storage and marketing in the developing countries, both to prevent hunger and for growth, and the interdependence of the world food economy. It recognizes the great potential for increased production in developing countries.

Particularly, it emphasizes the need for sustained agricultural research and its dissemination by international agricultural centers, universities and research institutions in the United States and elsewhere.

It states the sense of Congress that agricultural research bearing on developing country food production, distribution, storage and marketing, in the network of internationally-oriented research institutions, must be substantially and rapidly expanded, on a continued and longer-range basis. It expresses the commitment of the U.S. to the expansion of such research, in order to promote the necessary long-term planning and institutional growth.

Section 297 authorizes the use of any funds authorized to be available for food and nutrition assistance under section 103 of the Act to support programs of agricultural research benefitting developing countries. Funds used under this authority would not be subject to the limitation on research activities in section 211(d) of the Act.

The agricultural research program would not be subject to the three-year restriction on project funding contained in section 110 (b) of the Act, since in many cases a long-term commitment will be essential to the achievement of research goals. The section indicates that funds should be made available on a long-term basis where to do so would help sustain and build such efforts, or encourage support by others. It is contemplated that in administering the program, AID will use fully its existing authorities, such as section 635(h), permitting commitments of assistance for not more than five years, subject to any future action of the Congress. Where there may be a present need to obligate funds on a long-term basis, e.g., for up to five years, for research costs, it is contemplated that this may be done.

#### Section 6. International Organization and Programs.

This section, consisting of two paragraphs, amends section 302 of the Act as follows:

(1) This paragraph extends the authorization for International Organizations and Programs under section 302(a) through fiscal year 1976 at a level of \$189,500,000 and through fiscal year 1977 at a level of \$214,900,000. This authorization will enable the Executive Branch to make its voluntary contributions to international organizations

whose programs are focused on the developing world at budget request levels.

(2) This paragraph extends the authorization for the Indus Basin Development grants under section 302(b) at a level of \$27,000,000 to enable the Executive Branch to make voluntary contributions to the Indus Basin Development Fund at the budget request level for fiscal year 1976 and to make an additional contribution of \$4,500,000 in the interim quarter or in fiscal year 1977.

#### Section 7. Contingency Fund.

This section, consisting of two paragraphs, amends chapter 5 of part I of the Act as follows:

(1) This paragraph changes the chapter heading from "Disaster Relief" to "Contingency Fund." This change will avoid confusion with chapter 9 of the Act as added by section 9 of the Bill.

(2) This paragraph amends section 451 (a) of the Act, which authorizes the President to provide assistance authorized by part I for any emergency purpose. This amendment would create a permanent authorization for this purpose. Appropriations, however, would be—

Appropriations, however, would be limited by proviso that at no time could availabilities of funds which had not previously been obligated exceed \$10,000,000. It is the intent of this section to make available sufficient funds to meet emergency requirements other than those arising from disasters. By making the authorization a permanent one, the Executive Branch will have to seek appropriations (but not new authorizing legislation) to replenish the Contingency Fund as it is drawn down.

Quarterly reporting requirements and the prohibition on gifts of existing law would be retained. This authorization is less than the President's budget request of \$30,000,000 but is consistent with it. The President's budget request was finalized prior to the division of the Contingency Fund into the existing Contingency Fund and a separate Famine and Disaster Assistance Fund.

#### Section 8. International Narcotics Control.

This section amends section 482 of the Act, which authorizes appropriations for assistance to control the illicit production and trafficking in dangerous drugs. The amendment extends the authorization through fiscal year 1976 at a level of \$42,500,000 and through fiscal year 1977 at the same level. This authorization will enable the Executive Branch to conduct its international narcotics control program at budget request levels.

#### Section 9. International Disaster Assistance.

This section consists of six paragraphs which consolidate existing disaster assistance authorities into a single chapter in the Act and authorize funds for disaster assistance purposes.

(1) This paragraph retitles chapter 9 of part I to read "International Disaster Assistance."

(2) This paragraph relocates within the chapter the existing authority for assistance to refugees in Bangladesh.

(3) This paragraph adds sections 491 and 492 to the Act, containing new authority for International Disaster Assistance.

Section 491(a) is a statement of policy that reiterates the humanitarian and political importance which the United States attaches to efforts aimed at alleviating human suffering caused by natural and man-made disasters abroad.

Section 491(b) authorizes the President to furnish assistance to any foreign country or international organization for disaster relief and rehabilitation, which assistance is defined to include assistance relating to disaster preparedness and to the prediction of and contingency planning for natural

disasters. The subsection also provides that such assistance may be furnished without regard to the restrictions and prohibitions contained in other provisions of law.

Section 492(a) is a permanent authorization for appropriations to provide assistance authorized by section 491. The appropriations are limited by a proviso that imposes a ceiling of \$20,000,000 on availabilities of funds which have not been obligated previously. It is the intent of this section to permit AID to have sufficient funds available at all times to meet the relief and rehabilitation needs that may arise from disasters which cannot be foreseen. By making the authorization a permanent one, the Executive Branch will have to seek appropriations (but not new authorizing legislation) to replenish the fund as it is drawn down. This new funding mechanism should assure that the U.S. Government will always have funds available to respond to disasters abroad.

Section 492(b) retains the quarterly reports on uses of funds required by present law in the context of section 639. This request is consistent with the President's budget request of \$30 million for the Contingency Fund. As indicated previously, the budget request was prepared prior to the enactment of the famine and disaster authority of section 639.

(4) This paragraph repeals section 639, which is replaced by sections 491 and 492.

(5) This paragraph rennumbers sections 639A and 639B, which deal with assistance to the drought-stricken nations of Africa, and places them in the new International Disaster Assistance chapter.

(6) This paragraph rennumbers section 453, which deals with assistance to Pakistan and Nicaragua and places it within the new International Disaster Assistance chapter.

#### Section 10. Military Assistance.

This section, consisting of three paragraphs, amends chapter 2 of part II of the Act, which contains authority for military assistance.

(1) This paragraph amends section 504(a) to authorize appropriations for fiscal years 1976 and 1977 of such amounts as may be necessary for military assistance.

(2) This paragraph extends for fiscal year 1976 the President's special authority under section 506(a) of the Act to draw down Department of Defense stocks and services to meet unforeseen emergency needs for military assistance.

(3) This paragraph amends section 514 of the Act by prohibiting the transfer to or for the use of any foreign country, whether by grant or sale or otherwise, of defense articles in the stocks of the Department of Defense which are set aside, reserved, or in any way earmarked or intended for future use by any foreign country, unless: (1) the transfer is authorized by and subject to all the restrictions of the Act or the FMSA, and (2) the transfer is charged against MAP funds, section 506 drawdown limitations, FMS credit funds, FMS credit and guaranty program ceiling, or other appropriate statutory limitations in effect at the time transferred.

Under the funding restrictions of section 514, as it now reads, the war reserve and the contingency requirements of our own armed forces and of our allies would have to be separately computed, financed by different appropriations, and would seemingly have to be earmarked for separate uses. Under an amended section 514, our armed forces would have full title and control of all such stocks and could utilize any part of such stocks for our own requirements, should circumstances so require, even though acquired in whole or in part based on possible use by allies. Unless so amended, further MAP materiel grants might have to be limited to new procurement, with the delays this often en-

tails, or by removing the equipment from the very hands of our own active armed forces.

#### Section 11. Security Supporting Assistance.

This section amends section 532 of the Act which authorizes assistance to friendly countries and organizations to support or promote economic or political stability. The amendment authorizes the appropriation of such amounts as may be necessary for these purposes for fiscal years 1976 and 1977.

#### Section 12(a). International Military Education and Training.

This subsection adds to part II of the Act a new chapter 5, establishing a program of international military education and training. Under this new chapter, the education and training of foreign military and related personnel will be conducted in a program separate and distinct from the military assistance. Military assistance, as authorized by chapter 2 of part II of the Act will henceforth be concentrated on materiel assistance. The new chapter consists of three sections, as described below:

**General Authority.** Section 542 authorizes the President to provide military education on such terms and conditions as he shall determine and describes the kind of activities that can be engaged in under this chapter. These activities include attendance by foreign military personnel and related civilians at U.S. and foreign military facilities for education or training purposes.

This includes international military educational facilities such as those under NATO auspices. Also permitted is attendance by such foreign personnel at pertinent courses of instruction at non-military public and private educational and research institutions. In addition, observation and orientation visits by foreign military and related civilian personnel would be provided under this chapter.

**Authorization.** Section 543 authorizes the appropriation of funds to the President to carry out the purposes of the chapter.

**Purposes.** Section 544 describes the purposes of the new chapter as encouraging mutually beneficial relationships and increased understanding, while improving the ability of participating foreign countries to manage their resources and thereby to increase their self-reliance. These specific purposes distinguish the new education and training chapter from the more general military assistance program.

#### Section 12(b). Conforming Amendments to the Foreign Assistance Act.

This subsection amends the Act to eliminate all references to training from chapter 2 of part II, which deals with military assistance, because military education and training programs will no longer be conducted as military assistance. Thus, statutory provisions applicable to "military assistance" would not be applicable to military education and training program under chapter 5. The subsection also amends part III of the Act, containing general, administrative, and miscellaneous provisions to clarify the application of those provisions to the new chapter on international military education and training. The specific amendments made by this subsection are:

(1) This provision adds international military education to the definition of security assistance contained in section 503B(d) of the Act, concerning human rights.

(2) This provision deletes the exclusion of "training only" countries from the thirty-one country limitation on the number of countries that can receive military assistance contained in section 504(a) of the Act.

(3) This provision repeals the restriction on the number of foreign military students to be trained in the United States. According to section 510 of the Act, this number cannot exceed in any fiscal year the number of civilians brought to the United States

in the previous fiscal year under the Mutual Educational and Cultural Exchange Act of 1961.

(4) This provision makes clear that the roles of the Chief of the United States Diplomatic Mission and of the Secretary of State with respect to international military education and training will be the same as they are for military materiel assistance programs. This is achieved by inserting a reference to military assistance in subsections (b) and (c) of section 622 of the Act.

(5) This provision extends the supervisory responsibilities of the Secretary of Defense under section 623(a)(4) of the Act to military-related civilian personnel, consistent with the scope of the new chapter on international military education and training. It also makes the supervisory responsibility of the Secretary of Defense over Department of Defense functions relating to military assistance expressly applicable to military education and training as well.

(6) This provision makes the provisions of section 632 of the Act, concerning reimbursement among agencies, expressly applicable to military education and training in the same manner as that section applies to military materiel assistance.

(7) This provision amends section 636(g) of the Act to ensure that part II funds are available for administrative, extraordinary and operating expenses incurred in furnishing military education and training. It also makes part II funds available for reimbursement of certain expenses incurred in connection with training and orientation visits of military-related civilian personnel, consistent with the scope of the new chapter on international military education and training.

(8) This provision modifies the definition of defense service in section 644(f) of the Act so as to exclude references to training. By this change, the authority to furnish training as military assistance under chapter 2 of part II of the Act will be terminated. In addition, the definition of training is made a separate subsection, subsection 644(n), which will apply to the new chapter on international military education and training. The changes made by this provision are not intended to affect the sale of training as a defense service under the FMSA.

#### Section 12(c). Preservation of Existing Actions.

This technical subsection makes clear that the amendments to the Act affected by this section will not call into question the continuing validity of actions taken under authority of any provision amended or repealed by this section, such as regulations and contracts.

#### Section 12(d). Interim Funding.

This technical subsection authorizes funds heretofore made available for activities which will be funded in the future under the new international military education and training chapter to be obligated and expended either in accordance with the originally applicable authority or under the new authority.

#### Section 13. Operating Expenses.

This section creates a new category of funding designed to cover all AID operating, administrative and personnel expenses. An authorization is provided for fiscal year 1976 at a level of \$205,200,000 and for fiscal year 1977 at whatever level may be necessary. Because the Agency cannot project with absolute precision the travel requirements and operating costs connected with new programs, some funding flexibility is required. This is provided by the authority to augment the new account by no more than 10% with other funds made available under the Foreign Assistance Act.

#### Section 14. Reimbursable Development Programs.

This section amends section 661 of the Act,

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to authorize the use of up to \$2,000,000 rather than \$1,000,000 in funds made available under part I to facilitate access to raw materials and stimulate reimbursable aid programs, and to extend the authority through fiscal year 1977.

Section 15. Indochina Assistance.

This section repeals part V of the Act, which authorized funds for the relief and reconstruction of South Vietnam, Cambodia and Laos, and also repeals sections 34 through 40 of the Foreign Assistance Act of 1974, which set forth certain policies and principles regarding aid to Indochina and authorized funds for Indochina during fiscal year 1975 subject to certain allocations and restrictions. These separate and detailed provisions are no longer necessary. The validity of actions taken under the authorities repealed by this section are preserved by a standard saving clause.

Section 16. Middle East Special Requirements Fund.

This section authorizes the appropriation of such amounts as may be necessary for the Middle East Special Requirements Fund for fiscal years 1976 and 1977.

Section 17. Foreign Military Sales Act Amendments.

This section, consisting of two paragraphs, amends the FMSA as follows:

(1) This paragraph amends section 31 of the FMSA to authorize such amounts as may be necessary to carry out a program in fiscal years 1976 and 1977. An aggregate ceiling on credits and the principal amount of guaranteed loans for these fiscal years is not included, pending the completion of the pending reassessment within the Executive Branch.

(2) This paragraph repeals section 33 of the FMSA, which imposes an aggregate annual ceiling of \$40,000,000 on military assistance, credits and guarantees to African countries. Section 33 has not limited arms purchases by African countries, but has inhibited the United States' ability to be responsive to reasonable requests for credit in connection with such purchases. In the absence of this limitation, arms sales to African countries would continue to be governed by the criteria which are generally applicable under the FMSA, including considerations of foreign policy, arms proliferation, degree of weapons sophistication, and human rights implications.

Section 18. Transition Amendments.

This section responds to requirements created by the enactment of the Congressional Budget Act of 1974 (P.L. 93-344). Title V of that Act changes the commencement of the fiscal year from July 1 to October 1 beginning with FY 1977. The transition period, July 1, 1976, through September 30, 1976, is legally neither a fiscal year nor any fraction of a fiscal year. The section authorizes the appropriation of such sums as may be necessary to carry out the programs and activities, for which other provisions of this Act authorize funding for fiscal year 1976, during this transition period. The section also makes clear that the authorities that will be available to conduct these programs and activities during fiscal year 1976 will also be available during the interim months, including a limited grant program of overseas excess defense articles.

Section 401 of the Congressional Budget Act of 1974 provides that proposed legislation to authorize new spending authority shall not be in order after the adjournment of the first session of the 94th Congress for consideration by either House of Congress, unless such proposed legislation also provides that such new spending authority is to be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation Acts. Consequently, subsection (b) of this section modifies the President's

special drawdown authority under section 506 of the Act, effective with fiscal year 1977, to authorize military assistance appropriations to be made from time to time for purposes of reimbursing the military departments for assistance they provide, in addition to that otherwise authorized, when and if the President determines it to be in the security interests of the United States. This authority is not to be used routinely to supplement MAP funds, but is necessary to meet unforeseen, emergency requirements for military assistance which might arise in the course of any fiscal year.

THE WHITE HOUSE,  
Washington, D.C., May 15, 1975.

HON. NELSON A. ROCKEFELLER,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: I am transmitting today a bill to authorize Foreign Assistance programs for fiscal years 1976 and 1977 and for the transition period July 1, 1976 through September 30, 1976.

This proposal reflects both current realities and continuing uncertainties.

One reality is that we live in an interdependent world—a world in which the actions or inactions of any one great nation can affect the interests of all. By its actions, this nation will play its proper role in influencing the course of world events to make a better world for all. Foreign assistance is an essential element in the U.S. commitment to this objective.

A second reality, however, is that the recent events in Indochina have had a profound impact on the assumptions underlying the assistance requirements in my 1976 Budget, transmitted in February. There has not been sufficient time to fully assess the implications of these changes on foreign assistance requirements. What is abundantly clear, however, is the urgent need to assist those people who have been forced to flee from Indochina. I have already requested legislation to permit us to meet this need and I urge speedy congressional action.

A third reality is the continuing tension in the Middle East—an area which has been wracked by war and even now knows only an uneasy peace. The United States has made every effort to assist in finding a solution to the problems in this part of the world and is now undertaking a thorough reassessment of every aspect of our relations with the countries of the Middle East.

These current realities are also the source of continuing uncertainties about the 1976 foreign assistance program.

In order to permit the fullest possible consideration of foreign aid requirements by the Congress, the legislation I am transmitting today contains specific funding proposals for development assistance and related programs. However, because of the uncertainties caused by changing events, this request does not include specific amounts for grant military assistance, foreign military credit sales and some economic supporting assistance programs at this time. For these accounts, I am requesting an authorization for such sums as may be necessary and will return to the Congress with specific funding proposals as soon as possible.

The review of our policies in the Middle East, which I initiated last month, will not be completed until later this summer. I have, therefore, also omitted specific requests for assistance to the four major Middle Eastern aid recipients until this review is completed.

With this bill, the Congress is now in a position to begin consideration of those elements of our foreign aid programs on which I have made firm recommendations. The other specifics will be transmitted as soon

as our reviews permit. I urge that the Congress consider and enact this legislation.

Sincerely,

GERALD R. FORD.

By Mr. SCHWEIKER:

S. 1817. A bill to prohibit the appropriation and expenditure of unvouchered funds unless specifically authorized by law, and to provide for reports on and audits of authorized expenditures of unvouchered funds. Referred to the Committee on Government Operations.

CONTROL OF SECRET FUNDS

Mr. SCHWEIKER. Mr. President, every year officials in our Government spend millions of dollars in secret funds—expenditures not accounted for by voucher, subject to audit, or otherwise open to either congressional or public scrutiny. These secret expenditures are justified solely by the signature of the official who spends them—without explanation.

The Chairman of the District of Columbia Council gets \$2,500 a year; the Presidents of Federal City College and Washington Technical Institute gets \$1,000 apiece—to spend as they see fit. The Superintendent of the U.S. Merchant Marine Academy receives \$2,500 annually in "discretionary funds," and \$2,100,000 goes to the State Department for "emergencies in diplomatic and consular service." For years, the Atomic Energy Commission received \$100,000 a year for "objects of a confidential nature"; these funds were rarely spent, but AEC annual appropriations continued to include secret funds, even after AEC stopped requesting them, and now secret fund authority is available both to ERDA and the NRC.

Even excluding intelligence community spending, fiscal year 1975 appropriations included at least \$20 million—and possibly as much as \$70 million—in secret, unvouchered funds. No national security interest requires this secrecy, Mr. President, and there is no justification for Congress abdicating its fiscal responsibility in this fashion.

The plain fact is we have taken millions of dollars in taxpayers money, handed it to random Government officials and in effect said: "Here it is, spend it, sign your name so we know you spent it, but do not tell us what you spent it for." No other documentation is required, no explanation of who receives the money, or why, and no audit is possible.

Today, I send to the desk legislation to control the use of unvouchered Federal funds, and to extend General Accounting Office auditing authority over these expenditures. My bill will provide, for the first time, a comprehensive approach to the problem of unvouchered funds, and I predict it will ultimately save millions of dollars for the American taxpayer. I also send to the desk a table, prepared by Louis Fisher, specialist in American National Government at the Library of Congress, detailing the secret funds in the fiscal year 1975 budget, which I ask unanimous consent to have printed in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

May 22, 1975

## CONFIDENTIAL FUNDS, FISCAL 1975

Appropriation act	Account	Authority	Amount	Appropriation act	Account	Authority	Amount
Defense (Public Law 93-437):				HUD, Space, Science (Public Law 93-414): National	Public Law 93-316		\$35,000
Contingencies, defense			\$2,500,000	Aeronautics and Space Administration, research and			
Operation and maintenance, Army			2,689,000	program management			
Operation and maintenance, Navy	10 USC 7202		3,707,000	Public Works (Public Law 93-393): Atomic Energy	42 U.S.C. 2107(b)²		
Operation and maintenance, Air Force			2,293,000	Commission, operating expenses			
Operation and maintenance, defense agencies			6,518,000	State, Justice (Public Law 93-433):			
Operation and maintenance, Navy	31 USC 108			Emergencies in the diplomatic and consular	31 U.S.C. 107		2,100,000
District of Columbia (Public Law 93-405):				services			
General operating expenses (Commissioner)	Public Law 93-140		2,500	Salaries and expenses, general legal activities			30,000
General operating expenses (chairman, District of				(Justice)			
Columbia Council)	Public Law 93-140		2,500	Federal Bureau of Investigation, salaries and	28 U.S.C. 537		70,000
Public safety (Chief of Police)	Public Law 93-140		200,000	expenses			
Education (Superintendent of Schools)	Public Law 93-140		1,000	Immigration and Naturalization Service, salaries	8 U.S.C. 1555		50,000
Education (President, Federal City College)	Public Law 93-140		1,000	and expenses			
Education (President, Washington Technical In-				Drug Enforcement Administration, salaries and			70,000
stitute)	Public Law 93-140		1,000	expenses			
Education (President, District of Columbia Teachers	Public Law 93-140			Maritime Administration, Operations and Training			2,500
College)				(Superintendent, U.S. Merchant Marine Academy).			
Foreign assistance:				Treasury (Public Law 93-381):			
President's special authority	22 U.S.C. 2364(c)		50,000,000	Treasury Department, Office of the Secretary,			100,000
Confidential expenses	22 U.S.C. 2396(a)(8)		50,000	salaries and expenses			
Inspector General, foreign assistance	22 U.S.C. 2384(d)(7)		2,000	Compensation of the President	3 U.S.C. 102		50,000
Peace Corps	22 U.S.C. 2514(d)(7)		5,000	White House Office, salaries and expenses	3 U.S.C. 103		40,000

¹ The 4 items for foreign assistance derive from the Foreign Assistance Act of 1961, as amended. They do not require specific appropriations each year.

² As a result of reorganization (Public Law 93-438), AEC is now cancelled out to the Energy

Research and Development Administration (ERDA) and the Nuclear Regulatory Commission (NRC). The authority for a confidential fund remains intact, available to ERDA and probably also to NRC.

Mr. SCHWEIKER. Let me add, Mr. President, that my legislation today is in large measure a result of Mr. Fisher's tireless and creative work in this field over a period of years. Congress has been vaguely aware of unvouchered funds, and in recent years has even challenged several of the most blatant examples, on an ad hoc basis. But the study Mr. Fisher has now completed, at my request, addresses this problem comprehensively, for the first time, based on a systematic analysis of the entire Federal budget. This study clearly establishes Mr. Fisher as an expert in the intricate and complex area of Federal spending procedures, and it is an excellent example of the capability, within the Library of Congress, to evaluate with precision the most difficult area of governmental policy.

Mr. Fisher's study discloses at least four variations on the unvouchered funds technique: First, some expenditures are actually authorized and appropriated as secret funds; second, others are never authorized at all, but simply appropriated for confidential purposes; third, sometimes secret spending is authorized on a lump sum, long-term basis, without specific earmarked appropriations thereafter, so it is impossible to discover how much is actually secretly spent; finally, some latent unvouchered fund authority exists that has never been included in appropriations. These variations greatly complicate the task of trying to determine exactly how many taxpayer dollars are poured into unvouchered funds; the bewildering variety of these secret funds also dictates that reform be accomplished on a comprehensive, across-the-board basis, as my legislation contemplates.

Let me emphasize, Mr. President, there may well be areas in which confidential spending is necessary or desirable, particularly in national security related areas. But funds can be justified by voucher, and subject to GAO audit under appropriate security procedures, without jeopardizing security needs. And if there are isolated cases where security requirements demand unvouchered funds, specific statutory authority should be required. After all, the overwhelming majority of our top secret mil-

itary spending is accomplished without resort to unvouchered funds—expenditures are justified, vouchers submitted, and audits permitted, with full secrecy.

My legislation simply adds the force of law to the fundamental proposition that every Government expenditure should be subject to oversight—and audit—by someone other than the official spending the money. Every successful business operates on this principle, and my bill will simply require the Federal Government to start justifying expenditures on a businesslike basis.

I also send to the desk, for inclusion in the RECORD, a letter which I have sent to the General Counsel of the Agency for International Development, asking the current status of the \$50,000,000 confidential fund created by Section 614(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2364(c)). AID officials have indicated that some money remains unspent under this authority, and have agreed to supply my office with a precise current accounting.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
Washington, D.C., May 20, 1975.  
CHARLES L. GLADSON, Esq.,  
General Counsel, Agency for International  
Development, Washington, D.C.

DEAR MR. GLADSON: As my Legislative Counsel, Dave Marston, indicated to you on the telephone, I am preparing legislation to regulate the use of unvouchered, or confidential, funds.

In this connection, I would appreciate your providing me with current background information regarding the \$50,000,000 unvouchered fund created by § 614(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2364(c)). Specifically, I would like to know the current balance of this fund, and the dates and amounts of all prior expenditures from this fund. I would also like to obtain copies of any disclosure material which has been submitted to the Congressional officials specified in the 1966 amendment to this section.

I appreciate your willingness to assist. Thank you for your attention to this request.

Best regards,

Sincerely,

RICHARD S. SCHWEIKER,  
U.S. Senator

Mr. SCHWEIKER. Mr. President, my legislation has the following basic provisions: First, all Federal funds expended must be accompanied by a voucher, describing the expenditure, unless the expenditure without voucher is specifically authorized by law.

Second, a quarterly report to Congress of all unvouchered expenditures by every agency is required, disclosing lump sums spent, statutory authority and a description of the expenditures, unless specifically provided otherwise by statute.

Third, all unvouchered expenditures by the government are made subject to GAO audit, and GAO is required to prescribe rules and regulations which will protect the security status of any classified information during audit.

Finally, any future appropriations permitting unvouchered expenditures, without specific statutory authority, will be made subject to a point of order in both the House and Senate.

I ask unanimous consent that my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1817

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the effective date of this section, no moneys may be paid from the Treasury of the United States pursuant to a certification of an officer or employee of the United States unless—

(1) such certification is accompanied by, or a part of, a voucher or abstract which describes the payee or payees and the items or services for which such payment is being made; or

(2) the payment of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law.

SEC. 2396. (a) At the end of each calendar quarter ending after the effective date of this section, the head of each department, agency, or instrumentality of the Government which, or any officer or employee of which, is specifically authorized by law to expend funds pursuant to a certification, and without a voucher or abstract described in paragraph (1) of the first section, shall submit a report to the Senate and the House of Representatives setting forth the amounts expended during such quarter pursuant to each such certification, the statutory authority for

EXCERPT FROM JOURNAL  
OFFICE OF LEGISLATIVE COUNSEL

Wednesday - 21 May 1975

- ✓ 12. (Unclassified - LLM) Attended a Legislative Interdepartmental Group meeting at the White House at which a number of legislative items of foreign affairs were discussed. See Memorandum for the Record.